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**DAVID DOUGLAS WINTERS**  
B.S., M.S., D.L.L., J.D.  
PATENT ATTORNEY

*In The United States Patent and Trademark Office*

August 8, 2006

Number: Appn. 10/700,255

Appn. Filed: 11/03/2003

Applicant: Roberts, Freddie Ray

Title: Internal combustion engine machine incorporating significant improvements in power, efficiency and emissions control

Examiner: Harris, Katrina B.

Art Unit: 3747

**Remarks**

PO Box 1450

Alexandria, VA 22313-1450

USA

Dear Madam:

In response to the Office Action mailed 06/20/2003 (enclosure 1) regarding amendment filed on 29 December 2005 to the above application, the applicant accepts the examiner's explanation that the amendment attempts to reinstate portions of the specification which were never deleted, i.e. those portions concerning 9-12a. Accordingly, applicant respectfully withdraws request to reinstate said portions of the specification.

In additional response to the aforementioned Office Action, applicant agrees that amendment filed on 29 December 2005 to the above application also adds claims in excess of the number previously paid for without payment of the full fee required. Accordingly, applicant encloses herewith (enclosures 2 and 3) payment for five additional dependent claims.

The applicant thanks the examiner for her time and constructive assistance in putting the above application in grantable form, which action the applicant humbly solicits.

Very Respectfully,

David D. Winters  
USPTO reg# 50,746



Enclosures:

1. USPTO Office Communication dated 06/20/2006.
2. Fee Transmittal.
3. Credit card authorization.
4. Return receipt post card.

### Certificate of Mailing

"Express mail" mailing label number


EQ 506347168 US

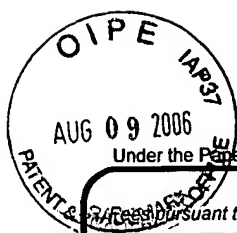
Date of Deposit: 09 AUG 2006

I hereby certify that this correspondence, including the enclosures listed on the accompanying Office Action response is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450.

Asa Stone  
(Typed or printed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)



Effective on 12/08/2004.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 125.00

**Complete if Known**

Application Number	10/700,255
Filing Date	11/03/2003
First Named Inventor	Freddie Ray Roberts
Examiner Name	Harris, Katrina B.
Art Unit	3747
Attorney Docket No.	030403 (R) ROBERTS

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	0
Plant	200	100	300	150	160	80	0
Reissue	300	150	500	250	600	300	0
Provisional	200	100	0	0	0	0	0

**2. EXCESS CLAIM FEES****Fee Description**

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
31	5	25.00	\$125.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
3	0	0	0

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
		0

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
				0

- 100 = / 50 = (round up to a whole number) x =

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

Fees Paid (\$)
0
0

SUBMITTED BY		
Signature		Registration No. 50,746 (Attorney/Agent)
Name (Print/Type)	David D. Winters	Telephone 931-906-4445
		Date 08/08/2006

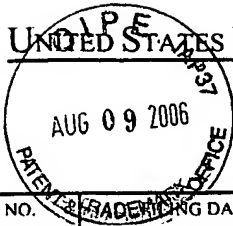
This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Enclosure 2



# UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO.	FILED DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,255	11/03/2003	Freddie Ray Roberts	030403ROBERTS	3705

7590

06/20/2006

David Douglas Winters, Patent Attorney  
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EXAMINER

HARRIS, KATRINA B

ART UNIT PAPER NUMBER

3747

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Enclosure 1

<b>Response to Rule 312 Communication</b>	Application No.	Applicant(s)	
	10/700,255	ROBERTS, FREDDIE RAY	
	Examiner	Art Unit	
	Katrina B. Harris	3747	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 29 December 2005 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.


c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

The proposed amendment filed on December 29, 2005 under 37 CFR 1.312 has not been entered. The amendment attempts to reinstate portions of the specification which were never deleted, *i. e.*, those portions concerning Figures 9-12a. The amendment also adds claims in excess of the number previously paid for without submission of the full fee required. MPEP 714.16(c).

  
**Stephen K. Cronin**  
 Primary Examiner  
 SPE 3747